

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America )

v.  
Cesar Adan JIMENEZ-Cortes )

Case No. )

\_\_\_\_\_  
*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 06, 2024 in the county of Webb in the  
Southern District of Texas, the defendant(s) violated:*Code Section*

8 USC 1324

*Offense Description*

Knowing and in reckless disregard of the fact that an alien had come to, entered, and remained in the United States in violation of law, did transport and move and attempted to transport and move and conspired to transport and move such alien within the United States by means of transportation and otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

Continued on Affidavit

☒ Continued on the attached sheet.\_\_\_\_\_  
/S/Adrian J. Davila*Complainant's signature*

Adrian J. Davila, Border Patrol Agent

\_\_\_\_\_  
*Printed name and title*

Sworn to before me and signed in my presence,

Date: August 09, 2024\_\_\_\_\_  
*Judge's signature*City and state: Laredo, Texas

Christopher dos Santos, U.S. Magistrate Judge

\_\_\_\_\_  
*Printed name and title*

AFFIDAVIT

In support of Criminal Complaint

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Cesar Adan JIMENEZ-Cortes

Case Number:

On August 06, 2024, United States (U.S.) Border Patrol Agent (BPA) 1 was working his assigned duties at the U.S. Border Patrol Immigration checkpoint (C29) located at the 29-mile marker on Interstate Highway 35, near Laredo, Texas, in Webb County.

At approximately 4:48 p.m., BPA 1 observed a white tractor and trailer approach the immigration inspection booth on truck lane four. As the vehicle came to a stop, the driver, Cesar Adan JIMENEZ-Cortes, displayed his Border Crossing Card. BPA 1 questioned JIMENEZ-Cortes in the Spanish language if he was by himself inside the vehicle, and JIMENEZ-Cortes responded "Yes" in the Spanish language. BPA 1 then continued to ask if anybody was in the back area of the cab, JIMENEZ-Cortes responded "No". While BPA 1 was questioning JIMENEZ-Cortes, A BPA canine handler conducted a free air sniff of the exterior of the vehicle with his assigned service issue canine. BPA canine handler notified BPA 1 that his service canine had alerted to the presence of concealed humans and/or the odor of controlled substances in the vehicle.

BPA 1 told JIMENEZ-Cortes that he needed to search his vehicle because the canine had alerted. JIMENEZ-Cortes opened the door, and BPA 1 entered the vehicle. BPA 1 questioned JIMENEZ-Cortes again in the Spanish language if he was by himself. JIMENEZ-Cortes responded with "Yes". Once BPA 1 was inside the sleeper area of the tractor with JIMENEZ-Cortes, BPA 1 asked JIMENEZ-Cortes if he could lift the bed so BPA 1 could inspect the area underneath. JIMENEZ-Cortes hesitated and said in the Spanish language that he had to open the side doors.

BPA 1 then asked JIMENEZ-Cortes if he could lift the blanket so he can inspect the area. JIMENEZ-Cortes lifted the blanket and BPA 1 observed a concealed person under the blanket. In the Spanish language JIMENEZ-Cortes stated, "Hey what are you doing here". BPA 1 detained JIMENEZ-Cortes for further investigation. BPA 1 informed assisting BPAs over the service radio of the attempted human smuggling attempt. Assisting BPAs entered the vehicle to assist BPA 1 and were able to find an additional three more subjects hiding inside different areas of the sleeper.

JIMENEZ-Cortes and the four subjects were escorted inside C29 for further investigation into the human smuggling attempt. Inside C29, BPAs conducted an immigration inspection on all concealed subjects and determined that they were in the U.S. illegally with no proper documents to be in or remain in the U.S. At this time all subjects were placed under arrest.

PRINCIPAL STATEMENT SYNOPSIS:

Cesar Adan JIMENEZ-Cortes was read his Miranda Rights. He acknowledged his Miranda Rights by signing DHS service form I-214 and advised that he was willing to provide a statement without a lawyer present.

JIMENEZ-Cortes began by freely stating he has a valid Border Crossing Card from the U.S. JIMENEZ-Cortes stated that he made the arrangement with a person he knows. JIMENEZ-Cortes stated that that person asked him if he can take something for him. JIMENEZ-Cortes stated that person told him he was going to get paid \$2,000.00 U.S. dollars. JIMENEZ-Cortes stated that once at the gas station he purposely left the tractor doors open. JIMENEZ-Cortes stated that once outside the gas station, he saw a white F-150 parked next to his tractor. JIMENEZ-Cortes stated that the person from the F-150, told him that everything was ready. JIMENEZ-Cortes stated that he knew he was transporting illegal immigrants inside his cabin, but that he didn't know how many they were. JIMENEZ-Cortes stated that he was going to transport them to San Antonio, Texas. JIMENEZ-Cortes stated he later got detained at the Border Patrol Checkpoint.

MATERIAL WITNESS STATEMENT SYNOPSIS:

Fernanda CRUZ-Lopez is a native and citizen of Mexico and is serving as a material witness in this case. CRUZ-Lopez stated she

has no immigration documents to be or remain in the U.S. legally. CRUZ-Lopez stated she crossed the Rio Grande River on Friday, August 2, 2024.

CRUZ-Lopez stated that she was taken in a truck to an unknown area where she was instructed to enter the white tractor that was parked on the side of the road. CRUZ-Lopez stated that she entered the tractor from the passenger side door. CRUZ-Lopez stated that she sat down on the passenger seat but that the driver of the tractor told her to go to the back area on the bed. CRUZ-Lopez stated she told the driver she could not lay down but the driver insisted she lay down so she could avoid being seen. CRUZ-Lopez stated she did lay down and the driver placed a blanket over them and put one subject inside the cabinet. CRUZ-Lopez stated that she believes it was the driver assisting them because he sat down on the driver seat and drove off immediately. CRUZ-Lopez stated her destination was Houston, Texas. CRUZ-Lopez stated she was going to pay \$180,000 Mexican pesos in total to be smuggled into the U.S.

SUBSCRIBED and SWORN to before me on

9th day of August, 2024

\_\_\_\_\_  
Signature of Judicial Officer

/S/ Davila, Adrian J. Border Patrol Agent

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Signature of Complainant